

# Frost & Miller, LLP

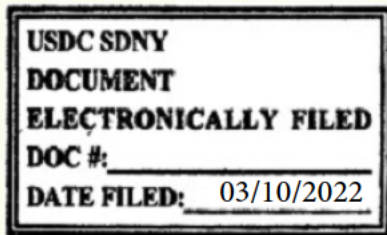
Attorneys at Law

260 Madison Avenue, 17th Floor

New York, New York 10016

Tel: (646) 597-6277

Fax: (212) 448-0066



March 9, 2022

Honorable Barbara C. Moses  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Courtroom 20A  
New York, New York 10007

## MEMO ENDORSED

Re: Frost & Miller, LLP v. Heaven's Way Investment Trust, et al.  
Docket No. 21 CV 06648 (AT)

Dear Judge Moses:

As the Court is aware, Plaintiff has filed applications by order to show cause for default judgments against all Defendants except Defendants Ann Fox and Femi Omomo. On February 22, 2022, the Court issued an order, which, among other things, extended Plaintiff's time to file for default judgments against Fox and Omomo to March 15, 2022 (the "Order") (Docket No. 65). We are writing to request an extension of the date for the filing of the motion for default judgments directed by the Court to March 31, 2022.

Subsequent to the entry of the Order, Plaintiff was able to negotiate and agree upon the principal terms of a settlement of this action with Defendants Henderson & Jones Limited ("H&J"), Fox and Omomo. Plaintiff drafted and forwarded a settlement agreement (the "Agreement") to its English counsel, Richard Twomey of the DWF Law Firm in London. Mr. Twomey reviewed the Agreement and recently forwarded it to Christopher MacQueen of the Cardium Law firm in London, counsel for English counsel for H&J, Fox and Omomo, for his review. We anticipate that Mr. MacQueen's review of the Agreement will be completed shortly, and that the Agreement will be executed by the parties. However, we do not know if the Agreement can be completed and executed prior to the March 15, 2022 deadline set forth in the Order. Accordingly, we are requesting this extension of the deadline in the Order to allow sufficient time for the parties to complete the settlement.

Thank you for your consideration of Plaintiff's request.

Application GRANTED to the extent that plaintiff's omnibus motion for a default judgment against all (or any remaining) defendants is EXTENDED to **March 31, 2022**.  
SO ORDERED.

Barbara Moses  
United States Magistrate Judge  
March 10, 2022

Respectfully,

Kenneth N. Miller